
Statement by Robert Klein, Chairman of the Independent Citizens' Oversight Committee, on the Close of the Trial Concerning California's Stem Cell Agency

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San Francisco, CA—Today the trial concluded in the matter of People's Advocate and National Tax Limitation Foundation v. Independent Citizens' Oversight Committee (case # HGO5206766). Judge Bonnie Lewman Sabraw asked for post-trial briefs to be submitted over the next two weeks concerning the consolidated bond validation action challenging the constitutionality of Proposition 71, the voter-approved stem cell research program. The judge will take the case under submission as of March 15, 2006.

Robert Klein, the Chairman of the Independent Citizens' Oversight Committee, made the following statement after the trial's close today:

"While awaiting Judge Bonnie Sabraw's final decision, we are grateful for her careful deliberations on this case. We continue to believe that Proposition 71 is consistent with the California Constitution.

The Attorney General's Office and the attorneys at Remcho, Johansen & Purcell provided exceptional counsel and representation for Proposition 71 and the creation of the new state agency—the California Institute for Regenerative Medicine that implements this Constitutional Amendment and this Initiative.

The evidence demonstrated that this new state agency is operating within the letter of the law. The evidence also made clear that the intellectual property policy, the medical and ethical standards, and the grant program of the Proposition 71 agency—the California Institute for Regenerative Medicine—were exemplary, model programs and policies that exceeded the standards of the National Academy of Science and the National Institutes of Health.

With the passage of Proposition 71, the People used their initiative power as it was intended, as an expression of direct democracy to strike directly toward the desired end of funding stem cell research. Everyday chronic disease inflicts potentially irreparable damage on millions of California men, women and children. The goal of Proposition 71 is to move scientific and medical funding forward quickly, with high accountability, governed by an extraordinary board and overseen by a new, independent commission chaired by the State Controller.

The National Academy of Science launched a task force of the best and the brightest minds in the country to propose model medical and ethical standards for California's Proposition 71 scientific and medical research program. During the trial, witnesses for the CIRM explained to the Court that the CIRM had actually adopted medical and ethical standards that started with the National Academy of Science's position and surpassed it, to create an even stronger model for California.

A witness from the State Treasurer's Office made a strong case that the financing approvals for Proposition 71 were properly carried out under the Finance Committee of the State of California and the \$3 billion financing program was clearly and effectively being advanced by the State Treasurer as chairman of that committee.

Walter Barnes, Chief Administrative Officer of the CIRM, and I testified on the comprehensive accounting and financial management program put in place by the State Controller, starting with the State Controller's detail oversight letter two days after the agency was formed.

The plaintiffs requested tens of thousands of pages of documents and deposed more than 25 witnesses, all of which culminated in a three and one-half day trial. We believe the evidence established that the CIRM is firmly under the management and control of the State of California."

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